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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
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10 PATRICIA L. JOHN,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Acting
14 Commissioner of the Social Security
Administration,

15 Defendant.

CASE NO. 2:16-cv-01188 JRC

ORDER ON UNOPPOSED
MOTION FOR EQUAL ACCESS
TO JUSTICE ACT FEES

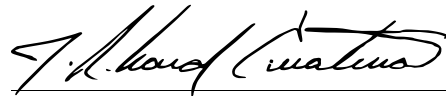
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17 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local
18 Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge
19 and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6).
20 This matter is before the Court on plaintiff's Motion for Award to Plaintiff for Attorney's Fee
21 Pursuant to 28 U.S.C. § 2412 (*see* Dkt. 35). Defendant has no objection to plaintiff's motion
22 (*see* Dkt. 37).

23 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), plaintiff's motion
24 (Dkt. 35), the attorney declaration and time and expense itemizations (Dkt. 36), and the relevant

1 record, it is hereby ORDERED that EAJA attorney's fees of \$6,595.64, shall be awarded to
2 plaintiff pursuant to the EAJA and consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010
3 U.S. LEXIS 4763 at ***6-***7 (2010).

4 The Acting Commissioner shall contact the Department of Treasury after the Order for
5 EAJA fees is entered to determine if the EAJA fees are subject to any offset. If it is determined
6 that plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the
7 Treasury's Offset Program, then the check for EAJA fees shall be made payable to Richard
8 Baum, Esq., based on plaintiff's assignment of these amounts to plaintiff's attorney (*see* Fee
9 Agreement – Federal Court, Dkt. 36, Attachment 1, pp. 1-2). If there is an offset, the remainder
10 shall be made payable to plaintiff, based on the practice of the Department of the Treasury (*see*,
11 *e.g.*, Case No. 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees shall be mailed to plaintiff's
12 counsel, Richard Baum, Esq., at 114 W. Magnolia Street, #400-137, Bellingham, WA 98225.

13 Dated this 2nd day of November, 2017.

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15 J. Richard Creatura
16 United States Magistrate Judge
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